

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FRED LEICHT,	:	Case No. C-1-00-853
Plaintiff,	:	(Judge Dlott)
v.	:	
AUTOZONE, INC. et al,	:	ENTRY GRANTING
Defendants.	:	FINAL APPROVAL OF
		<u>CLASS ACTION SETTLEMENT</u>

This matter came before the Court at the Fairness Hearing held on June 6, 2005, following preliminary approval of the proposed settlement. At and prior to the Fairness Hearing, class counsel presented the Court with evidence establishing that the settlement of the class action was fair and in the best interests of the class. At the Fairness Hearing, class counsel advised the Court that one class member had not been sent notice of the hearing and of his rights relative to the proposed settlement. The Court proceeded with the Fairness Hearing, but ordered that that class member be provided with notice by mail, and given 30 days to opt out, object to the settlement, and/or to provide notice to class counsel of his claim. That has been done.

The Court, having reviewed the evidence and arguments of counsel, and noting that there have been no objections to the proposed settlement filed by any class members, hereby finds as follows: that the class has been given constitutionally sufficient notice of the proceedings and the chance to opt out of the settlement; that the settlement between the Defendant and the Class is fair and in the best interest of the class; that the class representative, Fred Leicht, should be awarded an additional \$ 2500.00 for the work he

performed and risks that he took as class representative; that class counsel should be awarded the sum of \$ 60,000.00 in legal fees for their work in the class action; and that the Defendant should pay the costs of the litigation and notice, as outlined in the settlement agreement. In accordance with these findings, the Court hereby gives final approval to the class action settlement that received preliminary approval on January 5, 2005.

IT IS SO ORDERED.

s/Susan J. Dlott
Judge Dlott

SJD
7/29/05

Have Seen:

/s/ Randolph H. Freking
Randolph H. Freking, Esq.
Freking & Betz
215 E. Ninth Street
Fifth Floor
Cincinnati, Ohio 45202

/s/ Carol S. Wood
Carol S. Wood, Esq.
3016 Lischer Avenue
Cincinnati, Ohio 45211

Counsel for the Class

/s/ Walter Christy
Walter Christy, Esq.
Frilot, Partridge, Kohnke & Clements, L.C.
3600 Energy Centre
1100 Poydras Street
New Orleans, Louisiana 70163

Counsel for Defendant